

## REMARKS

The Examiner's Office Action of August 12, 2005 has been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application.

By the above actions, all independent claims 1, 14, 19, 24 and 31 have been amended, claims 6-13 have been cancelled previously, and new claims 38-43 have been added. Accordingly, claims 1-5 and 14-43 are pending for consideration, of which claims 1, 14, 19, 24 and 31 is independent. In view of these actions and the following remarks, reconsideration of this application is now requested.

Referring now to the detailed Office Action, claims 1-5 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Particularly, the Examiner contended that the language "a vacuum evacuation processing chamber for making the inside of the film formation chamber vacuum" is unclear and indefinite. In response, Applicants have amended the claims, as shown above, to amend the above-mentioned phrase to "pump" as suggested by the Examiner.

Claims 14, 15 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eida (U.S. Patent No. 6,633,121) taken in view of Edwards (U.S. Patent No. 5,259,881) and Tanabe (U.S. Patent No. 6,132,280).

Further, claim 16 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe, and taken in further view of Spahn (U.S. Patent No. 6,237,529) or Kamata (JP 11-229123).

Still further, claims 17, 24, 25, 27, 29 and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe, and taken in further view of Yamamoto (U.S. Patent No. 6,179,923).

Still further, claims 19, 20 and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe, and taken in further view of Turner (U.S. Patent No. 5,512,320).

Still further, claim 21 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe and Turner, and taken in further view of Spahn or Kamata.

Still further, claims 22, 31, 32, 36 and 37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe and Turner, and taken in further view of Yamamoto (U.S. Patent No. 6,179,923).

Still further, claim 28 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe and Yamamoto, and taken in further view of Spahn or Kamata.

Still further, claim 35 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe, Yamamoto and Turner, and taken in further view of Spahn or Kamata.

Still further, claims 24 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe, and taken in further view of Yamazaki (U.S. Patent Publication No. 2001/0006827).

Still further, claims 25 and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe and Yamazaki, and taken in further view of Yamada (U.S. Patent Publication No. 2002/0076847), Bennett (U.S. Patent No. 2,435,997) and/or Peng (U.S. Patent No. 6,641,674).

Still further, claims 31 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe and Yamazaki, and taken in further view of Turner.

Still further, claims 32 and 33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards, Tanabe, Yamazaki and Turner, and taken in further view of Yamada, Bennett and/or Peng.

Still further, claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over and Yamazaki taken in view of Spahn and Van Slyke (U.S. Patent Publication No. 2003/0101937) and taken in further view of Eida, Edwards and Turner.

Finally, claims 2 and 3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over and Yamazaki taken in view of Spahn and Van Slyke, and taken in further view of Eida, Edwards and Turner, and taken in further view of Yamada, Bennett and/or Peng.

Initially, independent claims 1, 14, and 24 have been amended to recite that “each of substrates is held by substrate holders attached to first and second panel heaters holding the plurality of plate heaters”. Further, independent claims 19 and 31 have been amended to recite that “a plurality of substrate holders are attached to the panel heaters, and each of substrate holders are positioned between two plate heaters”. The amended features are supported in at least, e.g., page 28 lines 3 to 12 and Fig. 13 of the specification.

With respect to paragraph 2 on page 2 of the Office Action, independent claim 14 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe. In response, Applicants respectfully assert that Eida may teach that an apparatus having a drying unit including a hot plate, Edwards may teach a batch preheating apparatus, and Tanabe may teach the simultaneous heat treatment of a plurality of substrates. However, it appears that none of the above references teaches the amended feature as recited in the amended claim 14. Hence, even if Eida, Edward, and Tanabe were combined, the cited prior art references still do not teach, disclose or suggest all the features of claim 14. That is, the cited prior art references fail to teach, disclose or suggest a plurality of substrates being held by substrate holders attached to first and second panel heaters holding a plurality of plate heaters.

With respect to paragraph 3 on page 4 of the Office Action, independent claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe, and taken in view of Turner. In response, Applicants have amended claim 19 in similar manner as claim 14 discussed above. With respect to Turner, although Turner may teach that a heating and cooling chamber cassette in which dielectric mounts 70 holding substrates situated or affixed to shelves 60 located between sidewalls 62 and 64, it appears that Turner fails to teach the amended feature that “a plurality of substrate holders attached to each of panel heaters, and each of substrate holders locates between one plate heater and the other” as recited in amended claim 19. Furthermore, Applicants respectfully assert that the substrate holder of claim 19 is entirely different from a dielectric mount of Turner. Hence, even if Eida, Edward, and Tanabe were combinable with Turner, the combined references would still fail to teach, disclose or suggest all of the features of amended claim 19.

With respect to paragraph 3 on page 6 of the Office Action, independent claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards

and Tanabe, and taken in further view of Yamazaki. In response, Applicants have amended claim 24 in similar manner to claim 14 and 19 discussed above. With respect to Yamazaki, although Yamazaki may teach a film formation apparatus including a means for moving the evaporation source holder, it appears that Yamazaki also fails to teach the amended feature as recited in the amended claim 24. Hence, even if Eida, Edwards, Tanabe, and Yamazaki were combined, the cited prior art references would still fail to teach, disclose or suggest all of the cited features of claim 24.

With respect to paragraph 2 on page 8 of the Office Action, independent claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eida taken in view of Edwards and Tanabe, and taken in further view of Yamazaki, and taken in further view of Turner. In response, Applicants have amended claim 31 in similar manner as claims 19 and 24. Hence, the arguments set forth above with respect to Eida, Edwards, Tanabe, Yamazaki and Turner are also applicable.

With respect to paragraph 2 on page 10 of the Office Action, independent claim 1 is rejected under 35 U.S.C 103(a) as being unpatentable over Yamazaki taken in view of Spahn and Van Slyke and taken in further view of Eida, Edwards and Turner. In response, Applicants respectfully note that Yamazaki, Eida, Edwards, and Turner were already argued above. With respect to Spahn and Van Slyke, although these references may teach a thermal physical vapor deposition source for organic materials, it appears that none of the above references teaches the amended feature as recited in the amended claim 1. Hence, even if Yamazaki, Spahn, Van Slyke, Eida, Edward, and Turner were combined in accordance with the Examiner's contention, all of the applied prior art references would still fail to teach, disclose or suggest all of the features of amended claim 1.

The requirements for establishing a *prima facie* case of obviousness, as detailed in MPEP § 2143 - 2143.03 (pages 2100-122 - 2100-136), are: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference to combine the teachings; second, there must be a reasonable expectation of success; and, finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.

Further, it is well settled that when combining the references in order to support a *prima facie* case of obviousness, the references must be considered in their entirety. It is

further settled that the mere fact that the prior art may be modified to reflect features of the claimed invention does not make the modification and hence the claimed invention obvious unless the desirability of such modification is suggested by the prior art itself (MPEP §2141). Moreover, the claimed invention cannot be used as an instruction manual or “template” to piece together the teachings of the prior art so that the claimed invention is rendered obvious, In Re Fritsch, 23 USPQ2d 1780 (Fed. Cir. 1992). As the cited prior art references fail to teach, disclose or suggest all of the claimed features, and as all of the cited references do not provide suggestion or motivation to combine their respective different teachings to arrive at the claimed invention, their combination in the §103(a) rejections are improper.

As the above-discussed amendments to independent claims 1, 14, 19, 24 and 31 are deemed sufficient to overcome their rejection as well as the rejections of their respective dependent claims, Applicants will not respond to each and every rejection of the dependent claims. Applicants reserve the right to do so in the future, as necessary.

New dependent claims 38-41 have been added to further complete the scope to which Applicants are entitled.

In view of the amendments and arguments set forth above, Applicants respectfully requests reconsideration and withdrawal of all the pending rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicant’s representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



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